

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

PowerTrain, Inc.,
A Mississippi Corporation

PLAINTIFF

v.

**CIVIL ACTION
No. 1:11CV105-GHD-DAS**

Joyce Ma, Individually and Best Machinery &
Electrical, Inc.

DEFENDANT

CASE MANAGEMENT ORDER

This Order, including all deadlines, has been established with the participation of all parties and can be modified only by order of the Court on a showing of good cause supported with affidavits, other evidentiary materials, or reference to portions of the record.

IT IS HEREBY ORDERED:

1. ESTIMATED DAYS OF TRIAL: 3-7

ESTIMATED TOTAL NUMBER OF WITNESSES: 5-15

EXPERT TESTIMONY EXPECTED: Yes **NO. OF EXPERTS:** 5-10

2. ALTERNATIVE DISPUTE RESOLUTION [ADR].

Alternative dispute resolution techniques appear helpful and will be used in this civil action as follows:

A settlement conference is set for 10:00 A.M. September 4, 2012.

3. CONSENT TO TRIAL BY UNITED STATES MAGISTRATE JUDGE.

The parties do not consent to trial by a United States Magistrate Judge.

4. DISCLOSURE.

The following additional disclosure is needed and is hereby ordered:

The parties will exchange Rule 26 disclosures within twenty-one days of entry of this order.

5. MOTIONS; ISSUE BIFURCATION.

Staged resolution, or bifurcation of the issues for trial in accordance with FED. R. CIV. P. 42 (b) will assist in the prompt resolution of this action. Accordingly, the Court orders that:

Early filing of the following motion(s) might significantly affect the scope of discovery or otherwise expedite the resolution of this action:

6. DISCOVERY PROVISIONS AND LIMITATIONS.

- A. Interrogatories are limited to 40(p.pl) succinct questions.
- B. Requests for Production and Requests for Admissions are limited to 40(p.pl) succinct questions.
- C. Depositions are limited to the parties, experts, and no more than 5 fact witness depositions per party without additional approval of the Court.

- D.** The parties have complied with the requirements of Local Rule 26(e)(2)(B) regarding discovery of electronically stored information and have concluded as follows [The parties MUST state whether or not there is ESI and, if so, how they propose to address it]:

Both parties will take steps to identify and preserve discoverable ESI to avoid a claim of spoliation, specifically including e-mail discovery.

- E.** There are no further discovery provisions or limitations.

Additional Information: (Please use this space to provide any additional information for any prior questions, noting the number of the question to which you are repsonding.)

Additional Provisions:

7. SCHEDULING DEADLINES

A. Trial. This action is set for JURY TRIAL

beginning on: July 8, 2013, at 9:30, a.m., in Aberdeen,

Mississippi, before United States District Judge Glen H. Davidson. THE

ESTIMATED NUMBER OF DAYS FOR TRIAL IS 3 - 7. ANY CONFLICTS WITH

THIS TRIAL DATE MUST BE SUBMITTED IN WRITING TO THE TRIAL JUDGE

IMMEDIATELY UPON RECIEPT OF THIS CASE MANAGEMENT ORDER.

B. Pretrial. The pretrial conference is set on: June 11, 2013, at 10:00, a.m.,

in Aberdeen, Mississippi, before United States Magistrate

Judge David A. Sanders.

C. Discovery. All discovery must be completed by: October 26, 2012.

D. Amendments. Motions for joinder of parties or amendments to the pleadings must be

filed by: July 1, 2012.

E. Experts. The parties' experts must be designated by the following dates:

1. Plaintiff(s): August 24, 2012.

2. Defendant(s): September 24, 2012.

8. MOTIONS. All dispositive motions and *Daubert*-type motions challenging another party's expert must be filed by: November 9, 2012. The deadline for motions *in limine* is fourteen days before the pretrial conference; the deadline for responses is seven days before the pretrial conference.

9. SETTLEMENT CONFERENCE.

A SETTLEMENT CONFERENCE is set on: September 4, 2012, at 10:00, a.m. in Aberdeen, Mississippi, before United States Magistrate Judge David A. Sanders.

Seven (7) days before the settlement conference, the parties must submit via e-mail to the magistrate judge's chambers an updated CONFIDENTIAL SETTLEMENT MEMORANDUM. All parties are required to be present at the conference unless excused by the Court. If a party believes the scheduled settlement conference would not be productive and should be cancelled, the party is directed to inform the Court via e-mail of the grounds for their belief at least seven (7) days prior to the conference.

10. REPORT REGARDING ADR. On or before (7 days before FPTC) _____, the parties must report to the undersigned all ADR efforts they have undertaken to comply with the Local Rules or provide sufficient facts to support a finding of just cause for failure to comply. *See L.U.Civ.R.83.7(f)(3).*

SO ORDERED:

April 27, 2012
DATE

David A. Sanders
UNITED STATES MAGISTRATE JUDGE